UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

PEOPLE FOR THE ETHICAL)
TREATMENT OF ANIMALS, INC.,)
)
Movant,)
)
v.)
) Case No. 4:18-mc-00798-CDP
DEYOUNG FAMILY ZOO)
)
Respondent.)
)

MOVANT'S OPPOSITION TO RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE REPLY

Movant People for the Ethical Treatment of Animals, Inc. ("PETA"), pursuant to Local Rule 7-4.01(C), submits this opposition to Respondent DeYoung's Motion for Short Extension of Time to File Reply [ECF No. 21]. This is the Zoo's second motion for an extension in connection with the Motion to Compel ("Motion").

The subpoenas at issue were served upon the Zoo on June 20, 2018. [See ECF No. 1, ¶ 7.] The Zoo never moved to quash these subpoenas. Instead, the Zoo demanded a protective order prior to any compliance, prevented agreement on the scope of a protective order during four months of PETA's good faith negotiations, then ultimately demanded that the inspection be substantially restricted and stopped negotiating entirely. [Id. ¶ 14.]

The Motion was filed on December 18, 2018, and PETA requested expedited consideration in light of the status of the underlying litigation. [ECF No. 1, ¶ 17.] On December 31, the Zoo—

¹ Since the time of filing the Motion, the parties in the underlying litigation sought and obtained an amendment to the Court's case management order, requiring expert reports to be filed February 15, just twelve business days after the Zoo's requested deadline for its reply.

which had acknowledged PETA's need to resolve this matter promptly [Id. ¶ 10]—requested an

extension of time until January 10 to respond to the Motion [ECF No. 11], which the Court granted

[ECF No. 12]. As a result of that extension, PETA's reply in support of its motion was due, and

filed, on January 17. [ECF No. 19.] As a result of that extension, Martin Luther King Jr. Day fell

within the Zoo's time to reply in support of its incorporated motion to quash and for a protective

order. The Zoo now requests yet another extension, alleging that it is "necessitate[d]" by a one-

day federal holiday falling three days before a deadline of its own making (along with a "shortage"

of paralegal support").

This falls far short of the required good cause to further delay completing the briefing on

this timely Motion. See Local Rule 6-1.05. Accordingly, this Court should deny the Zoo's motion

for a second extension in this matter.

Dated: January 24, 2019

Respectfully submitted,

/s/ Jared S. Goodman

JARED S. GOODMAN (#1011876DC)

PETA Foundation

2154 W. Sunset Blvd.

Los Angeles, CA 90026

323.210.2266

Fax No: 213.484.1648

jaredg@petaf.org

POLSINELLI PC

JAMES P. MARTIN (#50170)

100 S. Fourth Street, Suite 1000

St. Louis, MO 63102

314.889.8000

Fax No: 314.231.1776

jmartin@polsinelli.com

Attorneys for Movants

2

Certificate of Service

I certify that on January 24, 2019, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, by which notification of such filing was electronically sent and served to all counsel of record.

/s/ Jared S. Goodman